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3 Applicant..... Microsoft Corporation  
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**TRANSMITTAL LETTER AND CERTIFICATE OF MAILING**

To: Commissioner of Patents and Trademarks,  
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The following enumerated items accompany this transmittal letter and are being submitted for the matter identified in the above caption.

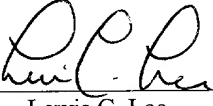
1. Specification—title page, plus 51 pages, including claims 1-52 and Abstract
2. Transmittal letter including Certificate of Express Mailing
3. 6 Sheets Formal Drawings (Figs. 1-8)
4. Return Post Card

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Date: Aug. 9, 2000

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION FOR LETTERS PATENT

**Fast Dynamic Measurement of Connection Bandwidth**

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ATTORNEY'S DOCKET NO. MS1-542US

## **TECHNICAL FIELD**

This invention relates to dynamic detection of maximum bandwidth for a connection between to entities on a network.

## **BACKGROUND**

As the Internet has matured, the format characteristics of the content available on the Internet have changed. Sound and video content is now mixed in with the traditional textual content. However, this new content on the Internet requires a greater connection speed (i.e., bandwidth) than was commonly available a few years ago.

Fig. 1 illustrates an example of a typical Internet configuration. It includes a server (such as media server 20), which is coupled to the Internet 30. The server typically includes one or more physical server computers 22 with one or more physical storage devices and/or databases 24. On the other side of an Internet transmission is a client 90, which is connected via one of many available Internet Service Providers (ISPs) 80. Herein, a server is a network entity that sends data and a client is a network entity that receives data.

Cloud 30 is labeled the Internet, but it is understood that this cloud represents that portion of the Internet that does not include the server, client's ISP, and the client. Inside such cloud are the routers, transmission lines, connections, and other devices that more-often-than-not successfully transmit data between clients and servers. Inside exemplary Internet cloud 30 are routers 32-44; two satellite dishes 46 and 50; and a satellite 48. These represent the possible paths that a data packet may take on its way between the server and the client.

## **Bandwidth**

Bandwidth is the amount of data that can be transmitted in a fixed amount of time. For example, bandwidth between media server 20 in Fig. 1 to media client 90 is calculated by the amount of data (e.g., 1000 bits) that may be transmitted between them in a unit of time (e.g., one second).

As shown in Fig. 1, a transmission over the Internet travels across multiple links before it reaches its destination. Each link has its own bandwidth. Like a chain being only as strong as its weakest link, the maximum bandwidth between server 20 and client 90 is the link therebetween with the slowest bandwidth. Typically, that is the link (such as link 82 in Fig. 1) between the client 90 and its ISPs 80. That slowest bandwidth is the maximum de facto bandwidth.

Herein, unless otherwise apparent from the context, references to bandwidth between network entities (such as server 20 and client 90) is assumed to be the maximum de facto bandwidth therebetween.

Bandwidth may also be called “connection speed”, “speed”, or “rate”. In references to bandwidth measured by bits per second, it may also be called “bit rate” or “bitrate.”

## **Streaming Media**

Streaming is a technique for transferring multimedia data such that it can be processed as a steady and continuous stream. Streaming technologies are becoming increasingly important with the growth of the Internet because most users do not have fast enough access to download large multimedia files quickly.

1 With streaming, the client browser or plug-in can start displaying the data before  
2 the entire file has been transmitted.

3 For streaming to work, the client side receiving the data must be able to  
4 collect the data and send it as a steady stream to the application that is processing  
5 the data and converting it to sound or pictures. This means that if the streaming  
6 client receives the data more quickly than required, it needs to save the excess data  
7 in a buffer. If the data doesn't come quickly enough, however, the presentation of  
8 the data will not be smooth.

9 Within the context of an audio and/or visual presentation, "media" and  
10 "multimedia" are used interchangeably herein. Media refers to the presentation of  
11 text, graphics, video, animation, and/or sound in an integrated way.

12 "Streaming media" is an audio and/or visual presentation that is transmitted  
13 over a network (such as the Internet) to an end-user. Such transmission is  
14 performed so that the presentation is relatively smooth and not jerky. Long pauses  
15 while additional frames are being downloaded to the user are annoying to the user.  
16 These annoyances encourage a user to avoid viewing future streaming media.

### 17 18 **Smoothly Transmitting Streaming Media**

19 Since the bandwidth determines the rate at which the client will receive  
20 data, a streaming media presentation may only be presented at a rate no greater  
21 than what the bandwidth allows. For example, assume media server 20 needs to  
22 send data at 50Kbps to the client 90 in order to smoothly "play" a streaming media  
23 presentation. However, the bandwidth between the client and server is only  
24 30Kbps. The result is a jerky and jumpy media presentation.

1 In an effort to alleviate this problem, streaming media presentations are  
2 often encoded into multiple formats with differing degrees of qualities. The  
3 formats with the lowest quality (e.g., small size, low resolution, small color  
4 palette) have the least amount of data to push to the client over a given time.  
5 Therefore, a client over a slow link can smoothly present the streaming media  
6 presentation, but the quality of the presentation suffers. The formats with the  
7 highest quality (e.g., full screen size, high resolution, large color palette) have the  
8 greatest amount of data to push to the client over a given time. Therefore, the  
9 client with a fast link can smoothly present the streaming media presentation and  
10 still provide a high quality presentation.

### 11 12 **Select-a-Bandwidth Approach**

13 When a server sends streaming media to a client, it needs to know what  
14 format to use. Thus, in order to select the proper format, the server must to know  
15 the bandwidth between the server and the client.

16 This easiest way to accomplish this is to ask the user of the client what their  
17 bandwidth is. Since a client's link to the Internet is typically the bandwidth  
18 bottleneck, knowing the bandwidth of this link typically indicates the actual  
19 bandwidth.

20 Fig. 2 shows a cut-away 100 of a Web page displayed on a client's  
21 computer. Inside the cut-away 100, is a typical user-interface 110 that may be  
22 used to ask a user what their connection speed is. The user clicks on one of the  
23 three buttons 112, 114, and 116 provided by the user-interface 110. If the user  
24 clicks on button 112, the server delivers data from a file containing streaming  
25

media in a format designed for transmission at 28.8 Kbps. Likewise, if the user clicks on button 114, data sends from a file containing streaming media in a format designed for transmission at 56.6 Kbps. If the user clicks on button 114, the server delivers data from a file containing streaming media in a format designed for transmission at a rate greater than 56.6Kbps and up-to the typical speed of a T1 connection.

However, the primary problem with the "select-a-bandwidth" approach is that it requires a thoughtful selection by a user. This approach invites selection errors.

It requires that a user care, understand, and have knowledge of her connection speed. Often, a user does not pay particular attention to which button to press. The user may only know that a media presentation will appear if the user presses one of these buttons. Therefore, they press any one of them.

Often, a user does not understand the concept of bandwidth. A user may choose button 116 because she may want to see the presentation at its highest quality. This user does not realize that seeing the presentation at its highest quality may result in a non-smooth presentation because her Internet connection cannot handle the rate that the data is being sent through it.

If she does understand the concept of bandwidth, then the user may not know her bandwidth. A user may simply be ignorant of her bandwidth. In addition, varying degrees of noise may cause varying connection speeds each time a user connects to the Internet. Furthermore, some types of connections (such as a cable modem) can have wide degrees of connection speed depending upon numerous factors.

Moreover, the user needs to understand the implications of an incorrect choice. A user needs to be educated so that she understands that she needs to select an option that is equal to or less than her bandwidth to get a smooth presentation. But she should not choose one that is significantly less than her bandwidth. If she does, then she will be seeing a smooth presentation at a lower quality that she could otherwise see at a higher available bandwidth.

As can be seen by the above discussion, this manual approach is often confusing and intimidating to many user. Therefore, it often results in incorrect selections.

What's more, maintaining multiple files (one for each bandwidth) at the media server adds to the overhead of maintaining a Web site.

### **Automatic Bandwidth Detection**

To overcome these problems, media servers use a single file containing subfiles for multiple bandwidths. Also, media servers automatically detect the bandwidth.

This single file is called a MBR (multiple bit rate) file. The MBR files typically include multiple differing "bands" or "streams." These bands may be called "subfiles." A user only clicks on one link. Automatically, behind the scenes, the server determines the right speed band to send to the client.

This automatic speed detection may take a long time. This means that an additional five seconds to a minute (or more) is added to the user's wait for the presentation to begin. This delay for existing automatic speed detection is because of long "handshaking" times while the speed determination is going on.



One existing automatic detection technique involves sending multiple data packets for measuring the speed between the server and client. This technique is described further below in the section titled, "Multiple Measurement Packets Technique."

### **Bandwidth Measurement Packets**

Typically, automatic bandwidth detection techniques measure bandwidth between entities on a network by sending one or more packets of a known size.

Fig. 3 shows a time graph tracking the transmission of two such packets ( $P_x$  and  $P_y$ ) between a sender (e.g., server) and a receiver (e.g., client). The server and client sides are labeled so. On the graph, time advanced downwardly.

Time  $t_a$  indicates the time at the server the transmission of  $P_x$  begins. Time  $t_b$  indicates the time at the server the transmission of  $P_x$  ends. Similarly, Time  $t_0$  indicates the time at the client begins receiving  $P_x$ . Time  $t_1$  indicates the time at the client completes reception of  $P_x$ . At  $t_1$ , the network hardware presumably passes the packet up the communication layers to the application layer.

Packet  $P_y$  is similarly labeled on the time graph of Fig. 3.  $t_c$  is the server time at the transmission of  $P_y$  begins.  $t_d$  is the server time that the transmission of  $P_y$  ends. Similarly,  $t_2$  the client time that it begins receiving  $P_y$ .  $t_3$  is the client time that it completes reception of  $P_y$ . At  $t_3$ , the network hardware presumably passes the packet up the communication layers to the application layer.

Bandwidth measurement using a single packet. In a controlled, laboratory-like environment, measuring bandwidth between two entities on a network is

straightforward. To make such a calculation, send a packet of a known size from one entity to the other and measure the transmission latency, which is the amount of time it takes a packet to travel from source to destination. Given this scenario, one must know the time that the packet was sent and the time that the packet arrived.

This technique is nearly completely impractical outside of the laboratory setting. It cannot be used in an asynchronous network (like the Internet) because it requires synchronization between the client and server. Both must be using the same clock.

Alternatively, the client may track the time it begins receiving a packet (such as  $t_0$  for  $P_x$ ) and the time the packet is completely received (such as  $t_1$  for  $P_x$ ).

Fig. 3 shows packet  $P_x$  being sent from a server to a client.  $P_x$  has a known size in bits of PS. The formula for calculating bandwidth (bw) is

$$bw(P_x) = \frac{PS}{t_1 - t_0}$$

**Formula 1 (Single Packet)**

This technique works in theory, but unfortunately does not work in practice. Only the hardware knows when a packet is initially received. Therefore, only the hardware knows when  $t_0$  is.

The other communication layers (such as the transport layer and the application layer) can only discover the time when the packet is completely received by the hardware. That is when the hardware passes it up to them. This

completion time for packet  $P_x$  is  $t_1$ . It is not possible to calculate bandwidth only one knowing one point in time.

Packet-pair. A technique called packet-pair is used to overcome these problems in asynchronous networks. With packet-pair, two identical packets are sent back-to-back. The server sends a pair of packets, one immediately after the other. Both packets are identical; thus, they have the same size (PS). The bandwidth is determined by dividing the packet size by the time difference in reception of each packet.

Each packet has specific measurable characteristics. In particular, these characteristics include its packet size (PS) and the measured time such a packet arrives (e.g.,  $t_{0-3}$  in Fig. 3). Some characteristics (such as packet size) may be specified rather than measured, but they may be measured if so desired.

As shown in Fig. 3, the server sends packet,  $P_x$ . The client's hardware begins receiving the packet at  $t_0$ . When reception of the packet is complete at  $t_1$ , the hardware passes it up the communication layers. Ultimately, it is received by the destination layer (e.g., application layer) at presumably  $t_1$ .

After the server sends  $P_x$  (which completed at  $t_b$ ), it immediately sends packet  $P_y$  at  $t_c$ . It is important that there be either 1) absolutely no measurable delay between  $t_b$  and  $t_c$  or 2) a delay of a known length between  $t_b$  and  $t_c$ . Herein, to simplify the description, it will be assumed that there is no measurable delay between  $t_b$  and  $t_c$ .

The client's hardware begins receiving  $P_y$  at  $t_2$ . When reception of the packet is complete at  $t_3$ , the hardware passes it up the communication layers.

1 Ultimately, it is received by the destination layer (e.g., application layer) at  
2 presumably  $t_3$ .

3 Fig. 3 shows no delay between  $t_1$  (the time of completion of reception of  $P_x$ )  
4 and  $t_2$  (the time reception of  $P_y$  begins). Theoretically, this will always be the case  
5 if  $P_x$  and  $P_y$  are transmitted under identical conditions. In practice, is the often the  
6 case because  $P_y$  is sent immediately after  $P_x$ .

7 Using packet-pair, the formula for calculating bandwidth (bw) is

$$\text{bw}(P_x P_y) = \frac{PS}{t_3 - t_1}$$

11 **Formula 2 (Packet-Pair)**

12 This technique works in theory and in practice. However, it only works  
13 well over a network that is relatively static.

14 For example, in Fig. 1, assume the network consists of only the server 20;  
15 routers 32, 34, and 36; a specific ISP of ISPs 80; and client 90. Further, assume  
16 that the links between each node on this static network is fixed and has a  
17 consistent bandwidth. In this situation, the packet-pair techniques provide an  
18 accurate and effective measurement of bandwidth.

19  
20 Packet-pair does not work well over the Internet. However, the packet-pair  
21 technique does not work well over a dynamic network, like the Internet. A  
22 dynamic network is one where there is a possibility that a packet may be handled  
23 in a manner different from an earlier packet or different from a later packet.  
24  
25

Fig. 1 illustrates examples of those handling differences. Assume that all packets are traveling from the server to the client (from left to right in Fig. 1). Assume that packets 60-68 were sent back-to-back by the server 20 to the client 90. Assume that packet 70 was sent by another server (not shown) to the client 90 and it is unrelated to bandwidth measurement.

Notice, as illustrated in Fig. 1, that packets may take different routes. In addition, some routes may significantly delay the packet transmission. This is especially true if the packet is transmitted via an apparently unusual (but not necessarily uncommon) route, such as wireless transmission, overseas via an underwater cable, satellite transmission (as shown by dishes 46 and 50 and satellite 48), etc.

A router (such as router 42) may delay a packet (such as 64) more than another may by temporarily buffering it. Another packet (such as packet 70) from another source may slip in between two packets (such as packets 60 and 62). In addition, a modem (not shown) of the client may compress packets.

Communications equipment (such as a modem) may compress a packet (such as 66) to shrink the packet size and thus speed along transmission. Such packet compression can significantly affect the bandwidth measurement because not all of the subsequent data packets will be compressed or compressed at the same rate.

### **Multiple Measurement Packets Technique**

To overcome these problems, conventional automatic bandwidth measurement techniques uses multiple packets. A server sends several (much

more than two) packets and calculates the speed of each. Conventional wisdom on bandwidth measurement indicates that in order to get accurate measurements several pairs of packets must be sent repeatedly over several seconds to several minutes. Herein, this technique is called "multiple-packets" to distinguish it from the above-described "packet-pair" technique.

Typically, the ultimate bandwidth is determined by finding the average of the many bandwidth measurements. This averaging smoothes out variances in delays for each packet; however, it does not compensate for packet compression during transmission. One of two extremely incorrect measurements will skew the average.

Unfortunately, this technique takes a long time relative the existing wait for the user between click and media presentation. A long time may be five seconds to several minutes depending on the data and the situation. Such a delay adds to the annoyance factor for the user who wishes experience the media presentation. This is not an acceptable delay. Since there are no other options available using conventional techniques, the user has be forced to endure these delays.

Moreover, these conventional approaches typically use TCP to transmit the packets. Using TCP introduces additional delays for handshaking. These conventional approaches typically modify the kernel of the operating system (usually the transport layer) to do perform these measurements.

No existing automatic bandwidth measurement can nearly instantaneously measure bandwidth across the Internet using a pair of packets. No existing automatic bandwidth measurement can make such measurements at the application layer. Thus, it avoids modifying the operating system. No existing

1 automatic bandwidth measurement addresses measurement distortion caused by  
2 packet compression.

### 3 4 5 **SUMMARY**

6 The fast dynamic measurement of connection bandwidth utilizes a single  
7 pair of packets to calculate bandwidth between two entities on a network (such as  
8 the Internet). This calculation is based upon the packet-pair technique. This  
9 bandwidth measurement is extremely quick.

10 On its journey across a network, communication equipment and modems  
11 may compress a packet. This compression shrinks the size of the packet; thus, it  
12 can distort the bandwidth calculation using such a shrunken packet. To avoid this  
13 distortion, the fast dynamic measurement of connection bandwidth employs non-  
14 compressible packets. More specifically, it employs highly entropic packets.  
15 Therefore, a packet cannot be compressed during its journey.

16 In addition, on its journey across a network, packets may be rerouted,  
17 delayed, misrouted, and the like. These momentary delays may result in a  
18 momentary bad bandwidth calculation. This problem is ameliorated by using a  
19 history list at the client that keeps track of recent measurements. The client  
20 returns the median of that list to the server. That median is the specified  
21 bandwidth.

## **BRIEF DESCRIPTION OF THE DRAWINGS**

Fig. 1 illustrates a typical public networking environment (such as the Internet) and the routing of and delay of data packets sent from a server to a client.

Fig. 2 is cut-away portion of a Web page. The cut-away shows a user interface providing a user a mechanism for selecting the bandwidth. This shows a conventional technique for determining bandwidth.

Fig. 3 shows a packet pair (being sent from a server to a client) graphed in the time domain. This shows a conventional implementation of packet-pair technique to measure bandwidth.

Fig. 4 also illustrates a typical public networking environment (such as the Internet). This shows a pair of packets sent back to back.

Fig. 5 is visual representation of a history list of the last ten measured bandwidths.

Fig. 6 is a flowchart illustrating the methodology of an implementation of the server side of the exemplary bandwidth meter.

Fig. 7 is a flowchart illustrating the methodology of an implementation of the client side of the exemplary bandwidth meter.

Fig. 8 is an example of a computing operating environment capable of implementing the server side and/or the of the exemplary bandwidth meter.

## **DETAILED DESCRIPTION**

The following description sets forth a specific embodiment of the fast dynamic measurement of connection bandwidth that incorporates elements recited in the appended claims. This embodiment is described with specificity in order to



1 meet statutory written description, enablement, and best-mode requirements.  
2 However, the description itself is not intended to limit the scope of this patent.  
3 Rather, the inventors have contemplated that the claimed fast dynamic  
4 measurement of connection bandwidth might also be embodied in other ways, in  
5 conjunction with other present or future technologies.

6 Even when used with a public network (such as the Internet), an exemplary  
7 fast dynamic measurement of connection bandwidth (i.e., "bandwidth meter" or  
8 "bw-meter") described herein is fast and robust. The exemplary bandwidth meter  
9 implements a low-latency technique for automatically measuring the network  
10 bandwidth available between two entities on a communications network. It has  
11 been found to be particularly useful over the Internet (or other such public  
12 networks).

13 Unlike the conventional approaches, the exemplary bw-meter obtains a best  
14 effort bandwidth measurement with the least possible delay, even under difficult  
15 network conditions. The exemplary bw-meter is designed to provide reasonable  
16 output in less than one second in most existing networks, including LANs, cable,  
17 DSL, and modem connections.

18 Furthermore, the exemplary bw-meter is implemented at the application  
19 layer (rather than other layers like the transport and physical layers). Although the  
20 exemplary bw-meter may be implemented on other layers, the one described  
21 herein is implemented on the application layer. In particular, it may be partially  
22 implemented by a Web browser or a media player.

## Packet-Pair Technique

The exemplary bw-meter utilizes the well-established packet-pair technique described above and illustrated in Fig. 3. The exemplary bw-meter uses the packet-pair formula (Formula 2) described above to calculate the maximum de facto bandwidth between two entities on a communications network (such as the Internet).

Unlike existing automatic bandwidth measurement techniques that use multiple packets, the exemplary bw-meter uses a single pair of packets for measuring bandwidth over the Internet. With the exemplary bw-meter, bandwidth measurements and calculations are made “nearly instantaneously” because only a single pair of measurement packets is sent. The term “nearly instantaneously” means that the bandwidth is determined as soon as the pair of packets arrive at the client.

The exemplary bw-meter overcomes the drawbacks and limitations of using packet-pairs over the Internet by employing non-compressible packets and a history list.

## Non-Compressible Packets

Data compression. Storing data in a format that requires less space than it would otherwise is data compression. Alternatively, it is transmitting data in a format that requires less bandwidth than it would otherwise.

Data compression is particularly useful in communications because it enables devices to transmit the same amount of data in fewer bits. There is a

1 variety of data compression techniques. Some are lossless (no data loss by  
2 compression) and some are lossy (some data loss by compression).

3 In general, lossless techniques are used in communication. These  
4 techniques compress data by representing long data patterns by short codes. Thus,  
5 some data is more compressible than others are.

6  
7 Entropy. A measure of the inherent compressible characteristics of a data is  
8 “entropy.” It may be defined to be a measure of the number of bits necessary to  
9 transmit (or store) data as a function of the probability that the message will  
10 consist of a specific set of symbols (i.e., recognizable data patterns).

11 Data with low entropy means that the data has many recognizable patterns  
12 and it may be significantly compressed. Data with high entropy means that the  
13 data has few (to zero) recognizable patterns and it may be minimally (to zero)  
14 compressed. Herein, “highly entropic” data is data that contains nearly no  
15 recognizable patterns; thus, compression of such data is nearly identical in size to  
16 the data when uncompressed.

17  
18 Contents of packets contain no information. For measuring bandwidth, the  
19 contents of the packets contain no information. If the packets used for measuring  
20 bandwidth remain the same size throughout transmission, the actual contents of  
21 the packets do not affect the measurement.

22 Since the content carries no semantic information (meaning), the packet’s  
23 contents may be any data, regardless of meaning, that is not compressible. More  
24  
25

specifically, the data of the packets of the exemplary bw-meter are highly entropic to prevent (or greatly reduce the affect of) data compression during transmission.

Alternatively, the content of the packets may contain information useful to the client or server, but that information will be highly entropic.

Packet Containing Highly Entropic Data. With the exemplary bw-meter, the packets sent include highly entropic data. This means that the data in the packets are not compressible.

One of the problems of using a conventional packet-pair technique is that some modems and some communications equipment compress the packets. If this happens, the bandwidth calculation will be off because the size of the packets may have been alternated during the transmission. If the packets are highly entropic, then the packets cannot be compressed; thus, the results of the bandwidth calculations can be relied upon.

A packet containing highly entropic data (i.e., "highly entropic packet") of the packet-pair technique of the exemplary bw-meter travels from the sending entity (e.g., server) to the receiving entity (e.g., client). Since it is highly entropic, it is not successfully compressed along its journey. Fig. 4 shows an example of such a journey. Fig. 4 illustrates an environment similar to that shown in Fig. 1.

Fig. 4 illustrates an example of a typical Internet configuration. It includes a server (such as media server 220), which is coupled to the Internet 230. The server typically includes one or more physical server computers 222 with one or more physical storage devices and/or databases 224. On the other side of an

Internet transmission is a client 290, which is connected via its Internet Service Providers (ISPs) 280.

Cloud 230 is labeled the Internet, but it is understood that this cloud represents that portion of the Internet that does not include the server, client's ISPs, and the client. Inside such cloud are the routers, transmission lines, connections, and other devices that more-often-than-not successfully transmit data between clients and servers. Inside exemplary Internet cloud 230 are routers 232-244; two satellite dishes 246 and 250; and a satellite 248. These represent the possible paths that a data packet may take on its way between the server and the client.

Fig. 4 shows successive packets 260 and 262 of the pair sent in accordance with the exemplary bw-meter. The server 220 sends packet 262 immediately after packet 260. As shown in Fig. 4, neither packet 260 nor 262 are compressed.

Adaptable Compression Countermeasure. In addition, the entropic data included in the packets is regularly changed. Some communications equipment and modems may adaptively compress otherwise uncompressible data if it sees the exact same data repeatedly. These devices "learn" how to compress entropic data. They do this by storing the data and using a short code to represent it.

Therefore, the entropic content of the packets is altered regularly so that adaptable compression techniques cannot "compress" the otherwise non-compressible data. In the exemplary bw-meter, a set of 20-50 different entropic packets is regularly used.

## Large Packets

A packet's size is based upon the number of data bits contained therein. It is preferable to use large packets to measure bandwidth. It is analogous to getting better statistical data when one has a larger sample. However, if a packet becomes too large, it will be fragmented during transmission by communications equipment. If any fragment of a packet is delayed, then the timing (e.g.,  $t_0$ - $t_3$  as shown in Fig. 3) may be off.

Thus, it is preferable to avoid fragmentation. Therefore, the exemplary bw-meter employs a package with a size as large enough as possible but just small enough to avoid fragmentation. Herein, this size is called "fragmentation-avoidance" size or simply "frag-avoid." Thus, this frag-avoid size refers to the largest size possible before a packet is divided during transmission.

For example, if it is known that any packet over 1000 bits is fragmented but none below 1000 are fragmented, then the fragmentation-avoidance size is 999 bits.

UDP packets. With the exemplary bw-meter, the packet pair is composed of a 1472 byte UDP packet immediately followed by a 1472 byte UDP (User Datagram Protocol) packet. Both packets contain highly entropic data to guarantee that the packets remain 1472 bytes long across all the hops in the network.

Although UDP is preferred, the packets (such as measurement packets 260 and 262 in Fig. 4) may be any protocol format. When sent via the Internet, the measurement packets of the exemplary bw-meter are sent via TCP or UDP.

TCP (Transmission Control Protocol) is one of the main protocols in TCP/IP networks (such as the Internet). Whereas the IP protocol deals only with

1 packets, TCP enables two hosts to establish a connection and exchange streams of  
2 data. TCP guarantees delivery of data and guarantees that packets will be  
3 delivered in the same order in which they were sent.

4 UDP is a connectionless protocol that (like TCP) runs on top of IP  
5 networks. Unlike TCP/IP, UDP/IP provides very few error recovery services,  
6 offering instead a direct way to send and receive packets (i.e., datagram) over an  
7 IP network.

8 With the exemplary bw-meter, UDP packets are preferred over TCP  
9 packets. Some applications handle TCP packets in a non-standard fashion. An  
10 example of such an application is the software from America Online (AOL).  
11 Instead of delivering the packets to the application upon receipt, the AOL software  
12 delivers packets at specific time intervals. This time-delivery granularity greatly  
13 distorts the bandwidth measurement. These non-standard applications, like AOL,  
14 do not handle UDP packets in such a manner.

15 Furthermore, TCP includes additional administrative traffic that UDP does  
16 not include. In TCP, when a packet is sent, the client must send an  
17 acknowledgement (i.e., "ack"). The kernel (i.e., the transport layer) of the  
18 operating system handles this acknowledgement process.

19 For example, suppose that the second packet is lost. Since the client did not  
20 receive a second packet, it does not send an ack. Since the server receives no ack,  
21 the server sends the second packet again. Therefore, the application eventually  
22 receives its expected second packet. However, it has no way to know that this is a  
23 resend of the second packet. The bandwidth measurement will be distorted  
24 because of the delay introduced by a packet loss and resend. With TCP packets, it  
25

1 is possible to get a bad measurement and have no way of knowing that it is a bad  
2 measurement. That is a bad combination.

3 With UDP, when a packet is lost, the client never gets it. Thus, the  
4 application knows if the measurement is bad because it never gets the second  
5 packet. UDP can be controlled at the application level better than TCP can.

6 When exemplary bw-meter is used across a firewall, TCP packets are  
7 preferred over UDP. Most firewalls do not allow UDP packets to flow across  
8 them.

### 9 10 **History List**

11 The nearly instantaneous bandwidth measurement described above is quick  
12 and efficient. As shown in Fig. 1, packets may be delayed for many reasons.  
13 These cause of these delays and the amount of the delays may vary from moment  
14 to moment. Thus, this bandwidth measurement at a particular moment in time  
15 may not reflect the actual bandwidth typically experienced. The calculated  
16 bandwidth for each measurement may be slightly off for various reasons.  
17 Occasionally, it will be extremely off.

18 Fig. 5 shows an example of a history list 300 of recorded bandwidth  
19 measurement. The client keeps this history of calculated bandwidths to ameliorate  
20 the affect of such momentary delays. The exemplary bw-meter uses the median of  
21 the history of bandwidth as the proper speed. Using the history list lessens the  
22 impact of one or two erroneous measurement.

23 Items are added and removed from the list in a LIFO (last in, first out)  
24 fashion. Therefore, the last ten measurements are always included in the list.  
25



1 Experience has shown that the median of a ten-item history tends to give a  
2 good approximation of the actual bandwidth. Although the list can be any size  
3 that gives a good approximation of the actual bandwidth.

4 The history list 300 of Fig. 5 includes ten items. Each item is a recorded  
5 bandwidth measurement taken when the client accessed a media file. The median  
6 of this list is 46Kbps as shown at item 302 and 304. Therefore, a server will  
7 choose a media file that is formatted to be sent at 46Kbps or slower.

8 Instead of using the median, the exemplary bw-meter may use some other  
9 statistical derivation, such as an average. The median is preferred over the  
10 average because the median is less likely to be skewed by an extremely incorrect  
11 (too low or too high) entry.

12 With a history list, a good estimation of the link bandwidth may be  
13 calculated very quickly, after receiving just one packet pair. Therefore, a  
14 presentation may be presented right away. Conventional multi-packet approaches  
15 need to send many packet pairs one after the other. This results in a significant  
16 delay before for the player starts displaying a video presentation once the user  
17 clicks "play." This is usually very annoying for users, so it is not acceptable.

18  
19 Flushing the History List. The history list is completely cleared (i.e.,  
20 "flushed") from time to time. In particular, this is done each time a new  
21 connection to the Internet is established. This can be determined by the use of a  
22 new IP address.

23 Each time a modem connects to the Internet the speed can be significantly  
24 different from the recent past. Many factors, such as line noise, affect this  
25

1 connection speed. For example, assume that a client has a history list like that  
2 shown in Fig. 5. On the next connection, user is given a new IP address. Also, the  
3 modem connects at 26Kbps and replaced item 302 with 26. The media is still  
4 46Kbps, but the current speed is actually 26Kbps. Therefore, the server will  
5 overrun the modem when it sends a file at 46Kbps.

6 Therefore, flushing the history list upon an IP address change alleviates this  
7 problem.

8 This problem typically does not occur in LANs (Local Area Networks),  
9 DSL, cable modem, or other similar dedicated Internet connections. In these  
10 situations, the IP addresses rarely if ever change.

### 11 **Modem Query**

12 If the exemplary bw-meter gets a measurement that is below a low-  
13 believability threshold or above a high-believability threshold, it will disregard the  
14 results. These thresholds define the “range of believability” for the results. If the  
15 result is below the low-believability threshold, the exemplary bw-meter will not  
16 believe that the bandwidth is that low. Likewise, if the result is above the high-  
17 believability threshold, the exemplary bw-meter will not believe that the  
18 bandwidth is that high.

19 In the exemplary bw-meter, low-believability threshold is 24.4 Kbps and  
20 the high-believability threshold is 1 Mbps. The range of possible measurements  
21 between these thresholds is called the “believability” range.  
22  
23  
24  
25

1       The following exemplary pseudocode restricts a variable called  
2 "HistoryMedian" to possible values that it can take. Typically, the range is from  
3 24,000 to 1,000,000.

```
4  
5       if (HistoryMedian > 1,000,000)  
6       {  
7       return UnlimitedBandwidth;   //needed for OS jitter issues  
8       }  
9       else  
10      {  
11      return max (24,000, HistoryMedian);   //ensure a floor of  
12      24,000 is always set  
13      }  
14
```

15       There is a registry entry (HardCodedRegistryValue) that, if present,  
16 takes precedence over the output of the exemplary bw-meter .

17       When the result fall outside the believability range, the exemplary bw-  
18 meter asks the modem of the client for its speed. Also, in this situation, the  
19 median of the history list will still be used as the proper bandwidth measurement,  
20 but the query of the modem will provide the new entry into the list.

21       The exemplary bw-meter may ask the operating system (OS) of the client.  
22 The OS tends to give poor bandwidth estimations. Thus, the exemplary bw-meter  
23 asks the modem (using TAPI). The modems do not give great bandwidth  
24 estimations, but they tend to be better than the OS.

25       It has been discovered that some modems react poorly when asked for their  
bandwidth measurement. Examples of poor reactions include system crashes.

To avoid this with certain operating systems (such as Windows 95®,  
Windows 98®, Windows NT®, Windows 2000® by the Microsoft Corporation),

1 the exemplary bw-meter specifically looks for an adapter with a MAC address  
2 starting with "44-45 ". This indicates the presence of a PPP device. If this exists,  
3 the exemplary bw-meter calls TAPI. Otherwise, the exemplary bw-meter does not  
4 call TAPI.

## 5 6 **Methodological Implementation**

7 Server Side. Fig. 6 shoes a methodological implementation of the server  
8 side of the exemplary bandwidth meter. At 300, the dynamic bandwidth  
9 measurement in accordance with the exemplary bandwidth meter is initiated.  
10 Typically, a user of the client selects an option on a Web page to experience a  
11 media presentation. Alternatively, an application on the client may initiate such  
12 bandwidth measurement. Such an application may be a Web browser, media  
13 player, or the like.

14 At 302 of Fig. 6, the server selects a highly entropic packet from at set of  
15 such packets. The server has a set of packets from which to choose. Each packet  
16 in the set is highly entropic. This selection may be via any fashion, such as  
17 revolving and random. The packet may be selected at that moment or it may have  
18 been pre-selected. Alternatively, the highly entropic packet may be calculated  
19 using formula known to generate entropic data.

20 At 304, the server sends a pair of packets to the client, with one  
21 immediately following the other. These packets are identical and highly entropic.  
22 Alternatively, the packets may be different, but they will have the same size. Each  
23 packet is preferably frag-avoid size.

1 At 306, the server waits for a response from the client. If it is not received  
2 within time limit, the process returns to sending a pair of packets at 304.  
3 Alternatively, the server may send a pair of packets without waiting for a response.  
4 Although not shown in the flowchart, the process will repeat this a given number  
5 of times before terminating and generating an error. If a response is received  
6 within the time limit, the process proceeds to the next block at 308.

7 The response includes a bandwidth measurement determined by the client  
8 using the pair of packets sent by the server at 304. The server extracts the specified  
9 bandwidth from the response at 308.

10 At 310 of Fig. 6, the server selects the file (or portion thereof) formatted for  
11 a bandwidth equal to or just lesser than the specified bandwidth. At 312, the server  
12 sends the file (or portion thereof) to the client.

13 If it was a media, file the user of the client enjoys a media presentation that  
14 begins play quickly. It also plays smoothly and at the highest quality possible at a  
15 measured bandwidth. The process ends at 314.

16 Client Side. Fig. 7 shoes a methodological implementation of the client  
17 side of the exemplary bandwidth meter. At 350, the dynamic bandwidth  
18 measurement in accordance with the exemplary bandwidth meter is initiated. This  
19 initiation occurs in the same as described above for initiation from the server  
20 perspective.

21 At 352, the client receives a first packet of packet-pair. This is like packet  
22  $P_x$  in Fig. 3. The client notes and stores the time that it receives this packet. This  
23 is like time  $t_1$  shown in Fig. 3.  
24  
25

At 354 of Fig. 7, the client receives a second packet of packet-pair. This is like packet  $P_y$  in Fig. 3. The client notes and stores the time that it receives this packet. This is like time  $t_3$  shown in Fig. 3.

At 356 of Fig. 7, the client determines the packet size (PS) of the packets. This may be known constant. This may be provided by handshaking data between the server and the client. This may be encoded in the contents of the packets. The client may simply measure this.

At 358, the client calculates the measured bandwidth using the packet-pair formula (Formula 2) above. Such formula is repeated here:

$$bw(P_x P_y) = \frac{PS}{t_3 - t_1}$$

**Formula 2 (Packet-Pair)**

At 360, the client determines if the calculated bandwidth is inside range of believability. This is the range of measurements that are believable. It is defined to be between the low-believability threshold (e.g., 24.4 Kbps) and the high-believability threshold (e.g., 1 Mbps).

If the client determines that the calculated bandwidth is inside range of believability, then the process proceeds to block 380 described below.

If it is outside the range, then the client queries the operating system (OS) and/or modem to determine what they believe the current bandwidth to be. If current bandwidth specified by the OS and/or the modem is outside the range of believability, then set bandwidth to be a believable value. For example, set the bandwidth to the low-believability threshold (e.g., 24.4 Kbps) if it is below that

1 threshold. Alternatively, set the bandwidth to the high-believability threshold  
2 (e.g., 1 Mbps) if the it is above that threshold. Go to block 380 described below

3 If current bandwidth specified by the OS and/or the modem is inside the  
4 range of believability, then go to block 380 described below.

5 At 380 in Fig. 7, the client stores the bandwidth into the history list. The  
6 new entry replaces the entry that has been in the list the longest. If this is a new  
7 connection, the client flushes the list and enters the bandwidth as the only entry.

8 At 382 and 384, the client finds the median of history list and returns it to  
9 the server. At 386, the process ends.

#### 11 **Additional Exemplary Implementation Details**

12 On the server side, the exemplary bw-meter is designed to run in one of  
13 three modes: MMSU (Microsoft Multimedia Server UDP), MMST (Microsoft  
14 Multimedia Server TCP), and HTTP (Hypertext Transport Protocol). The MMSU  
15 mode is used when the connection between the server and the client is such that  
16 the media packets can be sent over UDP. In other words, when there is no proxy  
17 computer between the server and the player, or, if there is one, when the proxy  
18 computer lets UDP traffic go across. The MMST mode is used if the firewall  
19 allows TCP traffic to port 1755, but does not allow any kind of UDP traffic.  
20 Finally, the HTTP mode is used if the firewall only allows TCP traffic on port 80.

1           The following is examples of pseudocode that a client may use when  
2 communicating with a server in MMSU mode:

3  
4       if (HardCodedRegistryValue)  
5       {  
6           return HardCodedRegistryValue;  
7       }  
8       else If (PP measurement successful)  
9       {  
10          If PP < 24Kbps, save 24Kbps in history, and then  
11          return HistoryMedian;  
12          else save PP measurement in history, and then return  
13          HistoryMedian;  
14       }  
15       else //Case where UDP PP fails  
16       {  
17          else if history is not empty, return HistoryMedian;  
18          else if TAPI supported device, return (TAPI - 14%);  
19          else return UnlimitedBandwidth;  
20       }  
21  
22  
23  
24  
25



1           The following is examples of pseudocode that a client may use when  
2 communicating with a server in MMST mode:

```
3  
4       if (HardCodedRegistryValue)  
5       {  
6           return HardCodedRegistryValue;  
7       }  
8       else if HistoryMedian exists, return HistoryMedian;  
9       else if TAPI supported device  
10       {  
11           if (V4.1 server)  
12           {  
13               TCP based PP measurement and save to history;  
14               //since packets are high entropy, may be good  
15               measurement  
16               return max (24,000, HistoryMedian);  
17           }  
18           else //v4.0 and v3 server  
19           {  
20               if HistoryMedian exists, return max (24,000,  
21               HistoryMedian); //We don't trust PP sample  
22               else return TAPI - 14%  
23           }  
24       }  
25       else if (V4.1 Server || V4.0 Server)  
26       {  
27           TCP based PP measurement and save to history; //not a  
28           modem, entropy not a concern  
29           return max (24,000, HistoryMedian));  
30       }  
31       else if HistoryMedian exists, return HistoryMedian;  
32       else return UnlimitedBandwidth;
```

1 The following is examples of pseudocode that a client may use when  
2 communicating with a server in HTTP mode:

```
3  
4     if (HardCodedRegistryValue)  
5     {  
6         return HardCodedRegistryValue;  
7     }  
8     else if history is not empty, return HistoryMedian;  
9     else if TAPI supported device, return (TAPI - 14%);  
10    else return unlimited bandwidth;
```

### 11 **Exemplary Computing Environment**

12 Fig. 8 illustrates an example of a suitable computing environment 920 on  
13 which the exemplary bw-meter may be implemented.

14 Exemplary computing environment 920 is only one example of a suitable  
15 computing environment and is not intended to suggest any limitation as to the  
16 scope of use or functionality of the exemplary bw-meter. Neither should the  
17 computing environment 920 be interpreted as having any dependency or  
18 requirement relating to any one or combination of components illustrated in the  
19 exemplary computing environment 920.

20 The exemplary bw-meter is operational with numerous other general  
21 purpose or special purpose computing system environments or configurations.  
22 Examples of well known computing systems, environments, and/or configurations  
23 that may be suitable for use with the exemplary bw-meter include, but are not  
24 limited to, personal computers, server computers, thin clients, thick clients, hand-  
25 held or laptop devices, multiprocessor systems, microprocessor-based systems, set  
top boxes, programmable consumer electronics, wireless phones, wireless

1 communication devices, network PCs, minicomputers, mainframe computers,  
2 distributed computing environments that include any of the above systems or  
3 devices, and the like.

4 The exemplary bw-meter may be described in the general context of  
5 computer-executable instructions, such as program modules, being executed by a  
6 computer. Generally, program modules include routines, programs, objects,  
7 components, data structures, etc. that perform particular tasks or implement  
8 particular abstract data types. The exemplary bw-meter may also be practiced in  
9 distributed computing environments where tasks are performed by remote  
10 processing devices that are linked through a communications network. In a  
11 distributed computing environment, program modules may be located in both local  
12 and remote computer storage media including memory storage devices.

13 As shown in Fig. 8, the computing environment 920 includes a general-  
14 purpose computing device in the form of a computer 930. The components of  
15 computer 920 may include, by are not limited to, one or more processors or  
16 processing units 932, a system memory 934, and a bus 936 that couples various  
17 system components including the system memory 934 to the processor 932.

18 Bus 936 represents one or more of any of several types of bus structures,  
19 including a memory bus or memory controller, a peripheral bus, an accelerated  
20 graphics port, and a processor or local bus using any of a variety of bus  
21 architectures. By way of example, and not limitation, such architectures include  
22 Industry Standard Architecture (ISA) bus, Micro Channel Architecture (MCA)  
23 bus, Enhanced ISA (EISA) bus, Video Electronics Standards Association (VESA)

1 local bus, and Peripheral Component Interconnects (PCI) buss also known as  
2 Mezzanine bus.

3 Computer 930 typically includes a variety of computer readable media.  
4 Such media may be any available media that is accessible by computer 930, and it  
5 includes both volatile and non-volatile media, removable and non-removable  
6 media.

7 In Fig. 8, the system memory includes computer readable media in the form  
8 of volatile, such as random access memory (RAM) 940, and/or non-volatile  
9 memory, such as read only memory (ROM) 938. A basic input/output system  
10 (BIOS) 942, containing the basic routines that help to transfer information  
11 between elements within computer 930, such as during start-up, is stored in ROM  
12 938. RAM 940 typically contains data and/or program modules that are  
13 immediately accessible to and/or presently be operated on by processor 932.

14 Computer 930 may further include other removable/non-removable,  
15 volatile/non-volatile computer storage media. By way of example only, Fig. 8  
16 illustrates a hard disk drive 944 for reading from and writing to a non-removable,  
17 non-volatile magnetic media (not shown and typically called a "hard drive"), a  
18 magnetic disk drive 946 for reading from and writing to a removable, non-volatile  
19 magnetic disk 948 (e.g., a "floppy disk"), and an optical disk drive 950 for reading  
20 from or writing to a removable, non-volatile optical disk 952 such as a CD-ROM,  
21 DVD-ROM or other optical media. The hard disk drive 944, magnetic disk drive  
22 946, and optical disk drive 950 are each connected to bus 936 by one or more  
23 interfaces 954.  
24  
25

The drives and their associated computer-readable media provide nonvolatile storage of computer readable instructions, data structures, program modules, and other data for computer 930. Although the exemplary environment described herein employs a hard disk, a removable magnetic disk 948 and a removable optical disk 952, it should be appreciated by those skilled in the art that other types of computer readable media which can store data that is accessible by a computer, such as magnetic cassettes, flash memory cards, digital video disks, random access memories (RAMs), read only memories (ROM), and the like, may also be used in the exemplary operating environment.

A number of program modules may be stored on the hard disk, magnetic disk 948, optical disk 952, ROM 938, or RAM 940, including, by way of example, and not limitation, an operating system 958, one or more application programs 960, other program modules 962, and program data 964.

A user may enter commands and information into computer 930 through input devices such as keyboard 966 and pointing device 968 (such as a “mouse”). Other input devices (not shown) may include a microphone, joystick, game pad, satellite dish, serial port, scanner, or the like. These and other input devices are connected to the processing unit 932 through an user input interface 970 that is coupled to bus 936, but may be connected by other interface and bus structures, such as a parallel port, game port, or a universal serial bus (USB).

A monitor 972 or other type of display device is also connected to bus 936 via an interface, such as a video adapter 974. In addition to the monitor, personal computers typically include other peripheral output devices (not shown), such as

1 speakers and printers, which may be connected through output peripheral interface  
2 975.

3 Computer 930 may operate in a networked environment using logical  
4 connections to one or more remote computers, such as a remote computer 982.  
5 Remote computer 982 may include many or all of the elements and features  
6 described herein relative to computer 930.

7 Logical connections shown in Fig. 8 are a local area network (LAN) 977  
8 and a general wide area network (WAN) 979. Such networking environments are  
9 commonplace in offices, enterprise-wide computer networks, intranets, and the  
10 Internet.

11 When used in a LAN networking environment, the computer 930 is  
12 connected to LAN 977 network interface or adapter 986. When used in a WAN  
13 networking environment, the computer typically includes a modem 978 or other  
14 means for establishing communications over the WAN 979. The modem 978,  
15 which may be internal or external, may be connected to the system bus 936 via the  
16 user input interface 970, or other appropriate mechanism.

17 Depicted in Fig. 8, is a specific implementation of a WAN via the Internet.  
18 Over the Internet, computer 930 typically includes a modem 978 or other means  
19 for establishing communications over the Internet 980. Modem 978, which may  
20 be internal or external, is connected to bus 936 via interface 970.

21 In a networked environment, program modules depicted relative to the  
22 personal computer 930, or portions thereof, may be stored in a remote memory  
23 storage device. By way of example, and not limitation, Fig. 8 illustrates remote  
24 application programs 989 as residing on a memory device of remote computer  
25

1 982. It will be appreciated that the network connections shown and described are  
2 exemplary and other means of establishing a communications link between the  
3 computers may be used.  
4

### 5 **Exemplary Operating Environment**

6 Fig. 8 illustrates an example of a suitable operating environment 920 in  
7 which the exemplary bw-meter may be implemented. Specifically, the exemplary  
8 bw-meter is implemented by any program 960-962 or operating system 958 in Fig.  
9 8.

10 The operating environment is only an example of a suitable operating  
11 environment and is not intended to suggest any limitation as to the scope of use of  
12 functionality of the bw-meter described herein. Other well known computing  
13 systems, environments, and/or configurations that may be suitable for use with the  
14 bw-meter include, but are not limited to, personal computers, server computers,  
15 hand-held or laptop devices, multiprocessor systems, microprocessor-based  
16 systems, programmable consumer electronics, network PCs, minicomputers,  
17 mainframe computers, distributed computing environments that include any of the  
18 above systems or devices, and the like.  
19

### 20 **Computer-Executable Instructions**

21 An implementation of the exemplary bw-meter may be described in the  
22 general context of computer-executable instructions, such as program modules,  
23 executed by one or more computers or other devices. Generally, program modules  
24 include routines, programs, objects, components, data structures, etc. that perform  
25

1 particular tasks or implement particular abstract data types. Typically, the  
2 functionality of the program modules may be combined or distributed as desired in  
3 various embodiments.  
4

### 5 **Computer Readable Media**

6 An implementation of the exemplary bw-meter may be stored on or  
7 transmitted across some form of computer readable media. Computer readable  
8 media can be any available media that can be accessed by a computer. By way of  
9 example, and not limitation, computer readable media may comprise computer  
10 storage media and communications media.

11 Computer storage media include volatile and non-volatile, removable and  
12 non-removable media implemented in any method or technology for storage of  
13 information such as computer readable instructions, data structures, program  
14 modules, or other data. Computer storage media includes, but is not limited to,  
15 RAM, ROM, EEPROM, flash memory or other memory technology, CD-ROM,  
16 digital versatile disks (DVD) or other optical storage, magnetic cassettes, magnetic  
17 tape, magnetic disk storage or other magnetic storage devices, or any other  
18 medium which can be used to store the desired information and which can be  
19 accessed by a computer.

20 Communication media typically embodies computer readable instructions,  
21 data structures, program modules, or other data in a modulated data signal such as  
22 carrier wave or other transport mechanism and included any information delivery  
23 media. The term "modulated data signal" means a signal that has one or more of  
24 its characteristics set or changed in such a manner as to encode information in the  
25



1 signal. By way of example, and not limitation, communication media includes  
2 wired media such as a wired network or direct-wired connection, and wireless  
3 media such as acoustic, RF, infrared, and other wireless media. Combinations of  
4 any of the above are also included within the scope of computer readable media.  
5

## 6 **Conclusion**

7 The exemplary bw-meter is superior to conventional approaches because it  
8 is faster and more accurate. It is faster to send one pair of packets to measure  
9 bandwidth than multiple packets. It is more accurate because the packets are not  
10 compressible and it includes a history list. This exemplary bw-meter has been  
11 extensively tested in many different types of networks. In more than ninety  
12 percent (90%) of the cases, the results are within ten percent (10%) of the  
13 expected bitrates.  
14

15 Although the fast dynamic measurement of connection bandwidth has been  
16 described in language specific to structural features and/or methodological steps, it  
17 is to be understood that the fast dynamic measurement of connection bandwidth  
18 defined in the appended claims is not necessarily limited to the specific features or  
19 steps described. Rather, the specific features and steps are disclosed as preferred  
20 forms of implementing the claimed fast dynamic measurement of connection  
21 bandwidth.  
22  
23  
24  
25

1 **CLAIMS:**

2 **1.** A method for measuring bandwidth between two entities on a  
3 network, the method comprising:

4 receiving at least one first non-compressible packet having measurable  
5 characteristics;

6 calculating bandwidth based upon, at least partially, characteristics of the  
7 first non-compressible packet.

8  
9 **2.** A method as recited in claim 1, wherein the first non-compressible  
10 packet is approximately fragmentation-avoidance size.

11  
12 **3.** A method as recited in claim 1, wherein the first non-compressible  
13 packet is highly entropic.

14  
15 **4.** A method as recited in claim 1, wherein the first non-compressible  
16 packet is formatted for TCP.

17  
18 **5.** A method as recited in claim 1, wherein the first non-compressible  
19 packet is formatted for UDP.  
20  
21  
22  
23  
24  
25

1           6.    A method as recited in claim 1 further comprising:  
2           after receiving the first packet, receiving a second non-compressible packet  
3           having measurable characteristics including a packet size (PS) and a time of  
4           receipt ( $t_3$ );

5           wherein the measurable characteristics of the first packet include a packet  
6           size, which is equivalent to the packet size of the second packet, and a time of  
7           receipt ( $t_1$ );

8           wherein bandwidth (bw) is calculated, during the calculating, by this  
9           formula:

$$\text{bw} = \frac{\text{PS}}{t_3 - t_1}$$

14          7.    A method as recited in claim 1 further comprising querying a modem  
15          of an entity about a bandwidth setting of the modem when result of calculating  
16          bandwidth is outside a given range of believability.

18          8.    A method as recited in claim 1 further comprising storing result of  
19          calculating bandwidth within a list of recent bandwidth measurements.

1           **9.**    A method as recited in claim 1 further comprising:  
2           storing result of calculating bandwidth within a list of recent bandwidth  
3           measurements;  
4           finding a statistical derivation from such list, such derivation representing a  
5           most likely actual bandwidth between the two entities.

6  
7           **10.**   A method as recited in claim 1 further comprising:  
8           storing result of calculating bandwidth within a list of recent bandwidth  
9           measurements;  
10          finding a median of such list, such median representing a most likely actual  
11          bandwidth between the two entities.

12  
13          **11.**   A program module having computer-executable instructions that,  
14          when executed within a computing operating environment at an application layer,  
15          performs the method as recited in claim 1.

16  
17          **12.**   A computer-readable medium having computer-executable  
18          instructions that, when executed by a computer, performs the method as recited in  
19          claim 1.  
20  
21  
22  
23  
24  
25

1 **13.** A method for measuring bandwidth between two entities on a  
2 network, the method comprising:

3 receiving a first non-compressible packet;  
4 receiving a second non-compressible packet;  
5 calculating bandwidth based upon the first and second non-compressible  
6 packets.

7  
8 **14.** A method as recited in claim 13, wherein bandwidth (bw) is  
9 calculated, during the calculating, by this formula:

10 
$$bw = \frac{PS}{t_3 - t_1}$$
  
11  
12  
13

14 **15.** A method as recited in claim 13, wherein the first and second non-  
15 compressible packets are approximately fragmentation-avoidance size.

16  
17 **16.** A method as recited in claim 13, wherein the first and second non-  
18 compressible packets are highly entropic.

19  
20 **17.** A method as recited in claim 13, wherein the first and second non-  
21 compressible packets are formatted for TCP.  
22  
23  
24  
25

1           **18.**    A method as recited in claim 13, wherein the first and second non-  
2 compressible packets are formatted for UDP.  
3

4           ~~**19.**~~   A method for measuring bandwidth between two entities on a  
5 network, the method comprising:  
6

7                sending at least one first non-compressible packet;

8                receiving a bandwidth calculation based upon, at least partially,  
9 measurements related to the first non-compressible packet.  
10

11           **20.**    A method as recited in claim 19, wherein the first non-compressible  
12 packet is approximately fragmentation-avoidance size.  
13

14           **21.**    A method as recited in claim 19, wherein the first non-compressible  
15 packet is highly entropic.  
16

17           **22.**    A method as recited in claim 19, wherein the first non-compressible  
18 packet is formatted for TCP.  
19

20           **23.**    A method as recited in claim 19, wherein the first non-compressible  
21 packet is formatted for UDP.  
22  
23  
24  
25

1           **24.**   A method as recited in claim 19 further comprising sending a  
2 second non-compressible packet immediately after sending the first packet and  
3 before receiving a bandwidth calculation, wherein the first and second packets are  
4 equivalent in size.

5  
6           **25.**   A method as recited in claim 19, after the receiving, further  
7 comprising:

8           selecting a file formatted for a given bandwidth that is equal to or less than  
9 the bandwidth calculation;

10          sending such file.

11  
12          **26.**   A method as recited in claim 19, after the receiving, further  
13 comprising:

14          selecting a subfile formatted for a given bandwidth that is equal to or less  
15 than the bandwidth calculation;

16          sending such subfile.

17  
18          **27.**   A method as recited in claim 19, before the sending, further  
19 comprising selecting the first non-compressible packet from a set of differing non-  
20 compressible packets.

21  
22          **28.**   A method as recited in claim 19, before the sending, further  
23 comprising generating the first non-compressible packet.  
24  
25

1           **29.** A computer-readable medium having computer-executable  
2 instructions that, when executed by a computer, performs the method as recited in  
3 claim 19.

4  
5           ~~**30.**~~ A method for measuring bandwidth between two entities on a  
6 network, the method comprising:

7               sending a first non-compressible packet;  
8               sending a second non-compressible packet immediately after the sending of  
9 the first packet.

10  
11           **31.** A method as recited in claim 30 further comprising receiving a  
12 bandwidth calculation based upon measurements related to the first and second  
13 non-compressible packets.

14  
15           **32.** A method as recited in claim 30, wherein the first and second non-  
16 compressible packets are approximately fragmentation-avoidance size.

17  
18           **33.** A method as recited in claim 30, wherein the first and second non-  
19 compressible packets are highly entropic.

20  
21           **34.** A method as recited in claim 30, wherein the first and second non-  
22 compressible packets are formatted for TCP.



1           **35.**    A method as recited in claim 30, wherein the first and second non-  
2 compressible packets are formatted for UDP.

3  
4           **36.**    A computer-readable medium having computer-executable  
5 instructions that, when executed by a computer, performs the method as recited in  
6 claim 30.

7  
8           ~~**37.**~~    A method of approximating a bandwidth between two entities on a  
9 network, the method comprising:

10           generating a list of entries, each entry containing a recent bandwidth  
11 measurement;

12           each measurement being based upon a packet-pair bandwidth calculation of  
13 different pairs of packets.

14  
15           **38.**    A method as recited in claim 37 further comprising replacing a  
16 measurement in an entry with a most recently calculated measurement.

17  
18           **39.**    A method as recited in claim 37, wherein the packets, which are the  
19 basis for the packet-pair bandwidth calculation, are non-compressible.

20  
21           **40.**    A method as recited in claim 37, wherein the packets, which are the  
22 basis for the packet-pair bandwidth calculation, are highly entropic.

1           41. A computer-readable medium having computer-executable  
2 instructions that, when executed by a computer, performs the method as recited in  
3 claim 37.

4  
5           42. A computer-readable medium having stored thereon a data structure,  
6 comprising:

7           a list of entries, each entry being a recent bandwidth measurements;  
8           each entry being based upon a packet-pair bandwidth calculation of  
9 different pairs of packets.

10  
11           43. A computer-readable medium having computer-executable  
12 instructions that, when executed by a computer, perform a method to measure  
13 bandwidth between two entities on a network, the method comprising:

14           receiving a first non-compressible packet;  
15           receiving a second non-compressible packet;  
16           calculating bandwidth based upon the first and second non-compressible  
17 packets.

18  
19           44. A computer-readable medium having computer-executable  
20 instructions that, when executed by a computer, perform a method to measure  
21 bandwidth between two entities on a network, the method comprising:

22           sending a first non-compressible packet;  
23           sending a second non-compressible packet immediately following the  
24 sending of the first packet.

1  
2 ~~45.~~ A computer-readable medium having computer-executable  
3 instructions that, when executed by a computer, perform a method to approximate  
4 a bandwidth between two entities on a network, the method comprising:

5       generating a list of entries, each entry containing a recent bandwidth  
6 measurement;

7       each measurement being based upon a packet-pair bandwidth calculation of  
8 different pairs of packets.  
9

10 ~~46.~~ A modulated data signal having data fields encoded thereon  
11 transmitted over a communications channel, comprising:

12       a first packet containing non-compressible data;

13       a second packet following the first packet, the second packet containing  
14 non-compressible data.  
15

16       47. The modulated data signals as recited in claim 46, wherein the first  
17 and second packets are approximately fragmentation-avoidance size.  
18

19       48. The modulated data signals as recited in claim 46, wherein the first  
20 and second packets are highly entropic.  
21

22       49. The modulated data signals as recited in claim 46, wherein the first  
23 and second packets are formatted for TCP.  
24  
25

1           **50.**    The modulated data signals as recited in claim 46, wherein the first  
2 and second packets are formatted for UDP.  
3

4           ~~**51.**~~    An apparatus comprising:

5           a processor;

6           a bandwidth measurer executable on the processor to:

7                 receive a first non-compressible packet having measurable  
8 characteristics;

9                 receive a second non-compressible packet having measurable  
10 characteristics;

11                calculate bandwidth based upon characteristics of the first and  
12 second non-compressible packets.  
13

14           ~~**52.**~~    An apparatus comprising:

15           a processor;

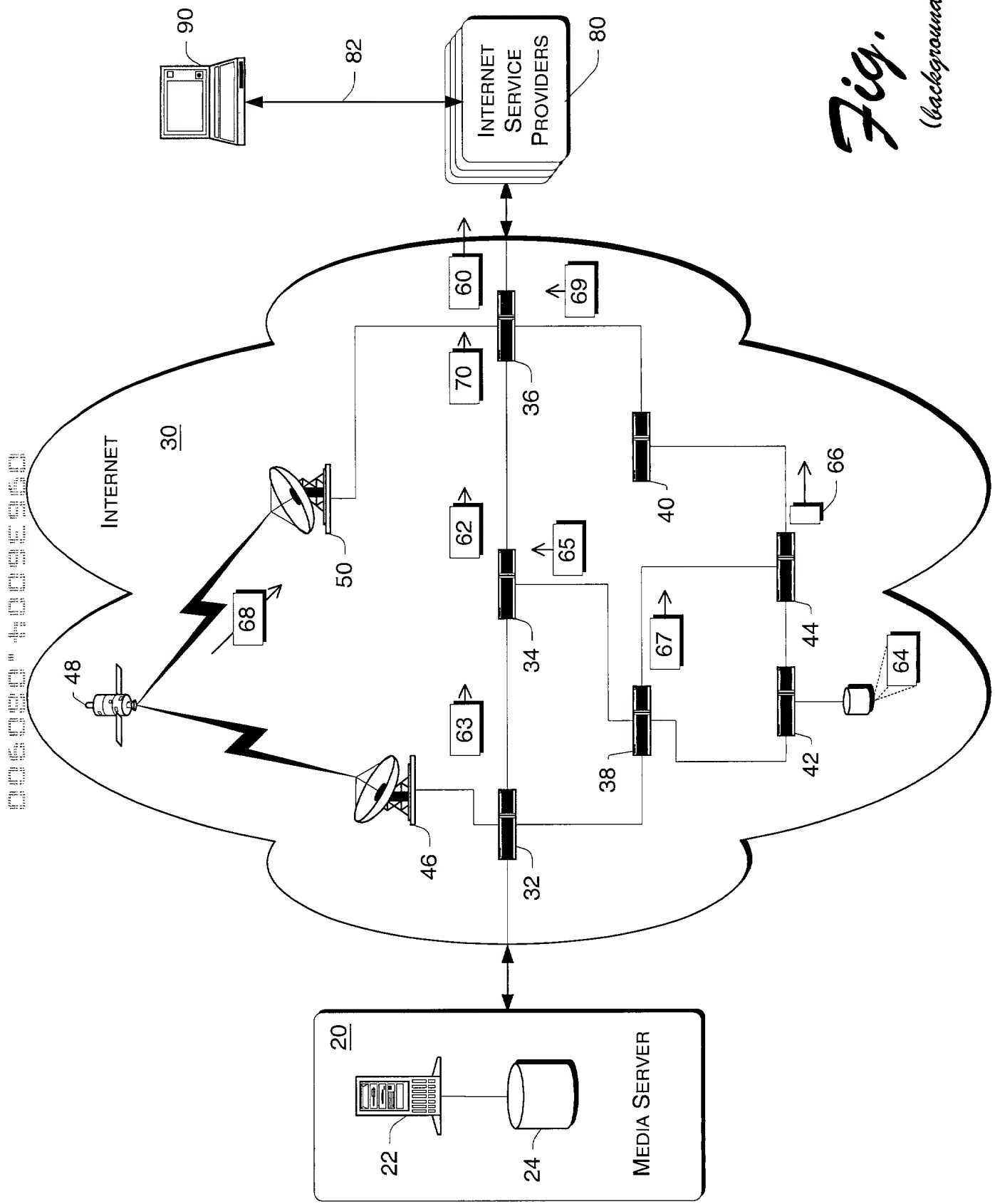
16           a bandwidth measurer executable on the processor to:

17                 sending a first non-compressible packet;

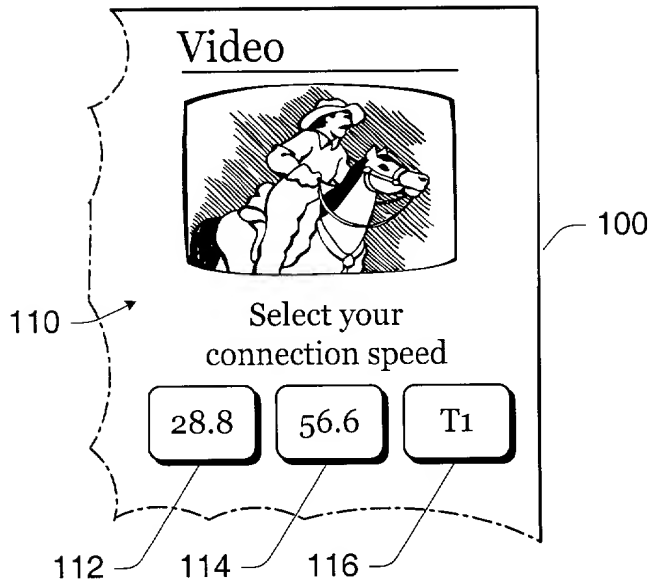
18                 sending a second non-compressible packet immediately following  
19 the sending of the first packet.  
20  
21  
22  
23  
24  
25

1 **ABSTRACT**

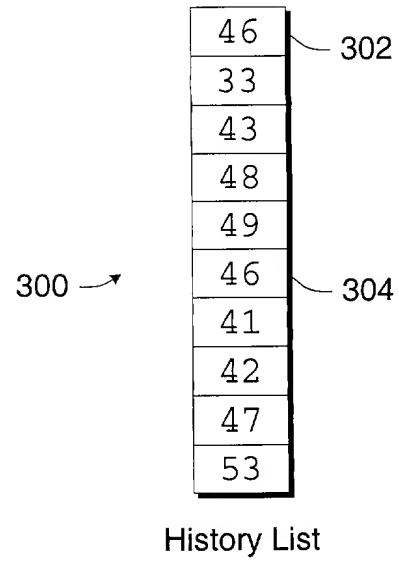
2       The fast dynamic measurement of connection bandwidth utilizes a single  
3 pair of packets to calculate bandwidth between two entities on a network (such as  
4 the Internet). This calculation is based upon the packet-pair technique. This  
5 bandwidth measurement is extremely quick. On its journey across a network,  
6 communication equipment and modems may compress a packet. This  
7 compression shrinks the size of the packet; thus, it can distort the bandwidth  
8 calculation using such a shrunken packet. To avoid this distortion, the fast  
9 dynamic measurement of connection bandwidth employs non-compressible  
10 packets. More specifically, it employs highly entropic packets. Therefore, a  
11 packet cannot be compressed during its journey. In addition, on its journey across  
12 a network, packets may be rerouted, delayed, misrouted, and the like. These  
13 momentary delays may result in a momentary bad bandwidth calculation. This  
14 problem is ameliorated by using a history list at the client that keeps track of  
15 recent measurements. The client returns the median of that list to the server. That  
16 median is the specified bandwidth.



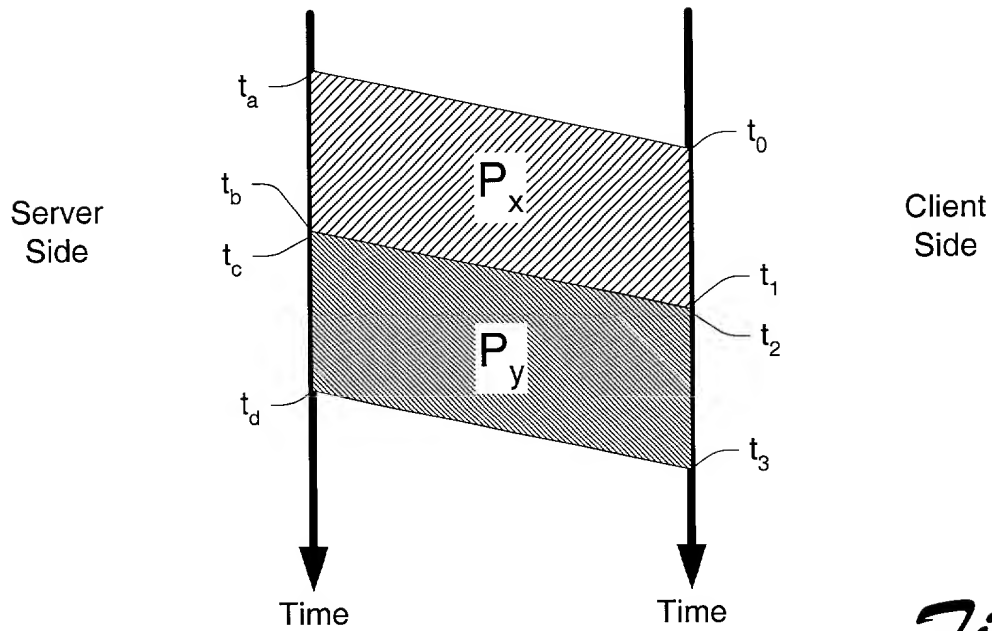
*Fig. 1*  
(background)



*Fig. 2*  
(background)



*Fig. 5*



*Fig. 3*  
(background)

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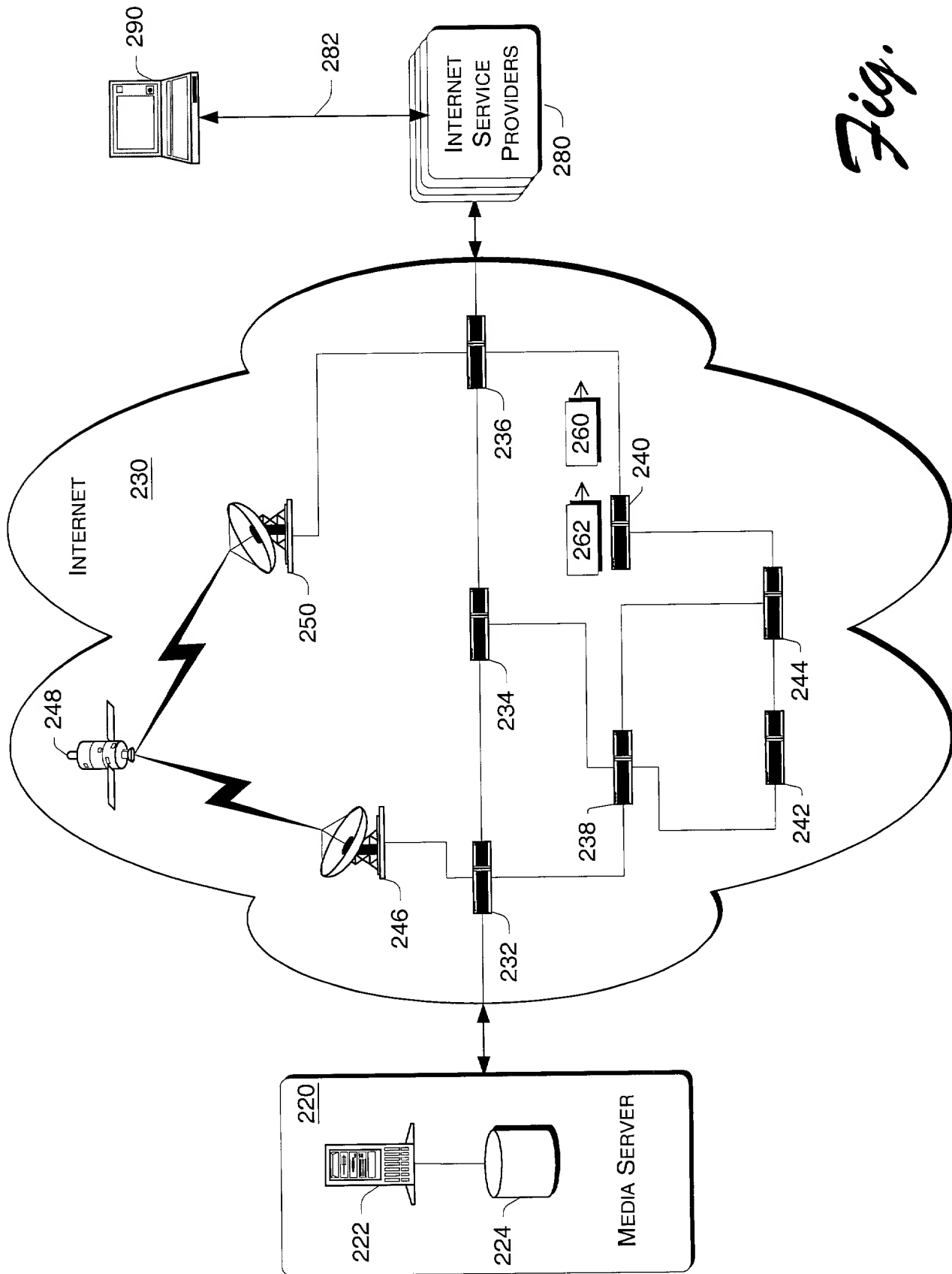
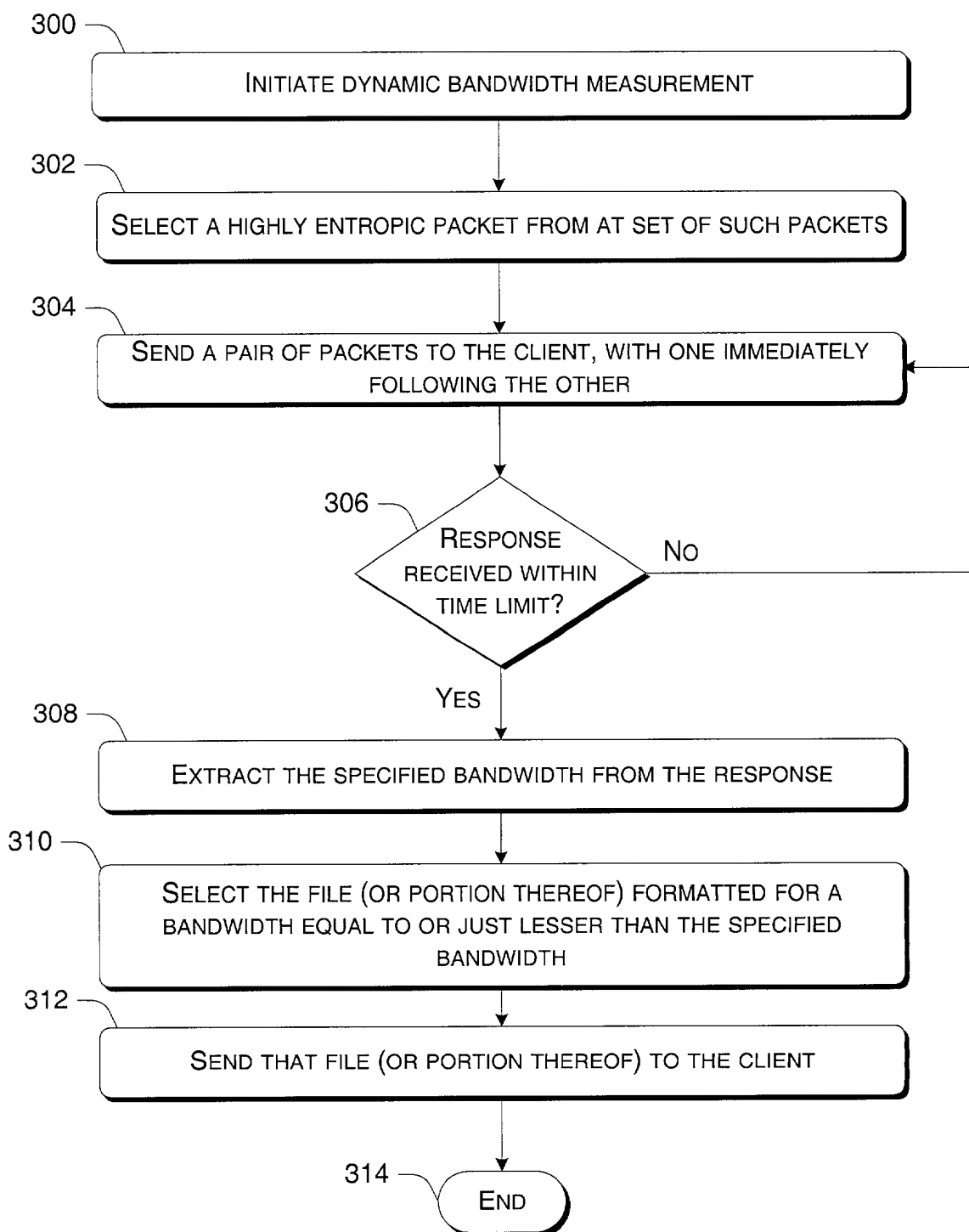


Fig. 4



*Fig. 6*

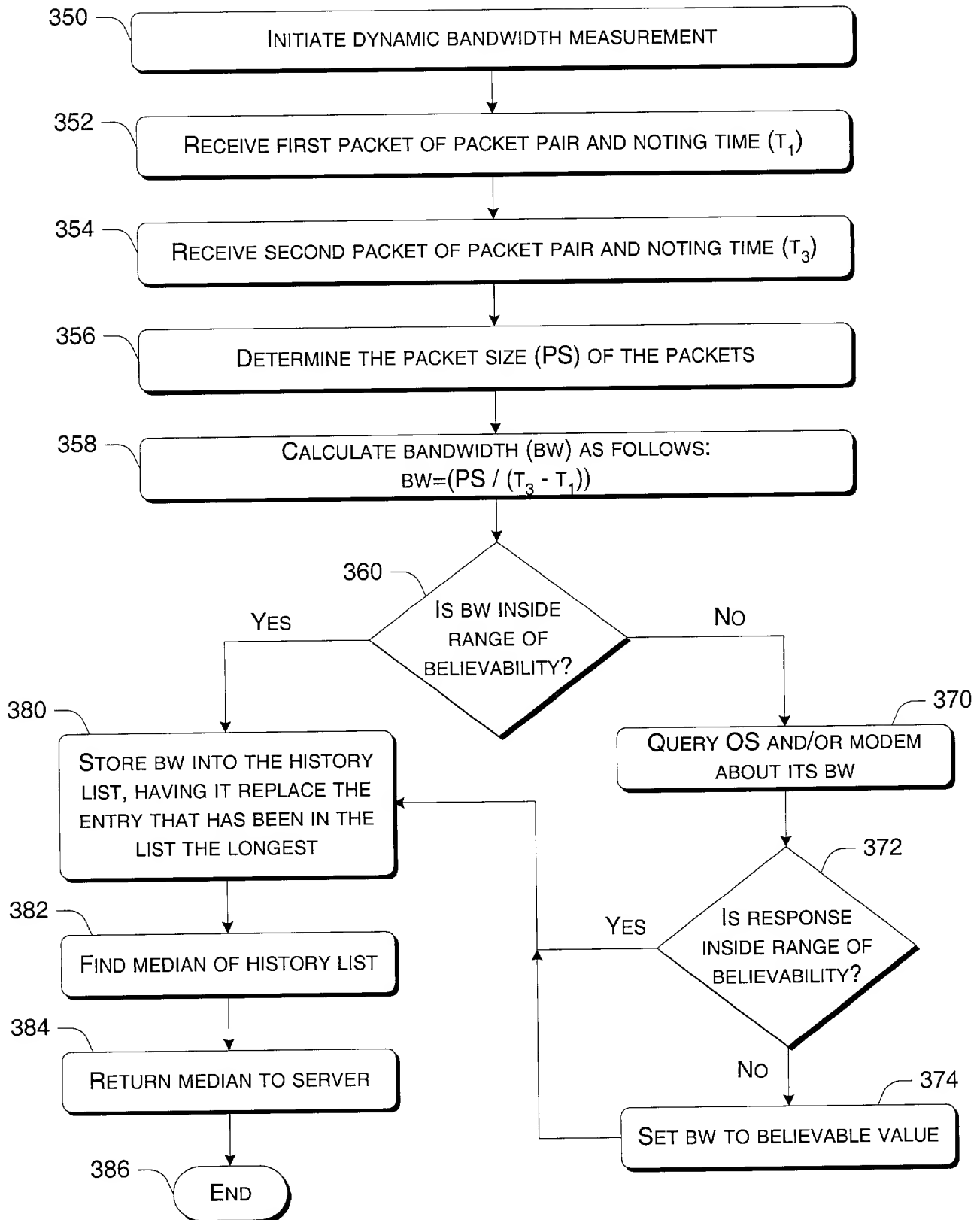


Fig. 7

Fig. 8

